

Application S/N 10/608,691  
Amendment Dated: April 25, 2006  
Response to Office Action dated: December 12, 2005

CE11246JI019

**REMARKS/ARGUMENTS**

Claims 1-20 remain pending in the application. In the Office Action, claims 1-3 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,352,434 to Emmert (Emmert). Claims 4-10, 16-17 and 19-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Emmert in view of U.S. Patent 6,504,595 to Nicholaisen, et al. (Nicholaisen). Claims 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Emmert in view of U.S. Patent 6,594,472 to Curtis, et al. (Curtis). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Emmert, while claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Emmert in view of U.S. Patent No. 4,984,268 to Brown, et al. (Brown).

Independent claims 1, 17 and 18 have been amended to clarify that the transducer seal has a perimeter and that at least a majority portion of the perimeter of the transducer seal sits on the flexible circuit element. Support for the amendments can be found in FIGs. 1 and 3 and on page 11, lines 1-9. No new matter has been added by these amendments. This configuration prevents high audio from leaking through the low audio speaker, and is not shown in Emmert.

As such, Applicants submit that independent claims 1, 17 and 19 are patentable over the prior art. Applicants also believe that those claims that depend from these independent claims are patentable, both based on their dependencies on the independent claims and their patentability on their own. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

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No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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